

S/N 10/008,439

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Harold J. Plourde Jr., et al.	Examiner:	Michael P. Choi
Serial No.:	10/008,439	Group Art Unit:	2621
Filed:	December 6, 2001	Docket No.:	60374.0040US01
Title:	DIVIDING AND MANAGING TIME-SHIFT BUFFERING INTO PROGRAM SPECIFIC SEGMENTS BASED ON DEFINED DURATIONS		

Electronically Filed – September 10, 2009

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Mail Stop IDS
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. The fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p) is being charged via credit card for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each foreign patent and/or a copy of each publication, other than U.S. patents and U.S. patent application publications, listed on the accompanying Form 1449 is enclosed.

In view of the waiver of the requirements of 37 C.F.R. §1.98(a)(2)(iii), a copy of each cited pending unpublished U.S. patent application that is stored in the Patent Office's Image File Wrapper (IFW) system is not provided. See MPEP 609.04(a)(II); see also 1287 O.G. 163

(October 19, 2004) ("Waiver of the Copy Requirement in 37 C.F.R. §1.98 for Cited Pending U.S. Patent Applications").

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612.332.5300

By: /David Rodack/
Name: David Rodack
Reg. No.: 47,034

